Previous references.

1898

~~191~~

(Sep. Rev.)

File No. 66 of 97-98

Later references.

Serial Nos. 1 - 2.

(16)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 - 2

Major

~~Part~~ B. for April 1898.

SUBJECT

Remission on behalf of Ketchiah and Naraiah Toddy Vend Farmers, Jalamangala Circle, Closepet Sub Tk

S.L. 1. From the State Censor No 6644/306 dt. 8/10/3/98.
Dy No 6553/2346

Submits for sanction a remission Statement for Rs 501-2-9. in behalf of Ketchiah and Naraiah, Toddy Vend Farmers of the Jalamangala circle of the Closepet Sub-Taluk for 1892-93.

S.L. 2. To the State Censor & The Comptroller Nos 9967-8/2408 dt. 19-4-98.

G. R. S. 58

Sanctions the remission of Rs 398-9-7 with interest thereon, and observes that by timely enquiries and help, the Local Authorities could have removed all cause for complaint and rendered this remission unnecessary.

GPB—4,000—4-7-11

For Orders

SECRETARY'S OFFICE.

Sec. 52
File 66-97
Sub

REVENUE BRANCH.
EXCISE

OFFICE NOTE.

SUBJECT. Remission of arrears due from Kitchia, Toddy Renter of the Jalamangala Circle, Coorpet Sub Salak, for 92-93.

LAST REFERENCE. Letter No. 1644/306 dated 8th March 98 from the Excise Commr. in Jaffna.

Kitchia took up the contract for 92-93 of the 10 Toddy shops constituting Jalamangala Circle for Rs 283-12-5. Kitchia depones that he managed the farm for one month jointly with his surety Varadiah and subsequently made over the contract to the latter. In the beginning, the complaint of the farmer was that some other farmers were taking away Toddy from the portion of the Sandalgere Vana allotted to his farm. His first petitions

petitioners state that unless he be given trees attached to his shops he could not be responsible for the due fulfilment of his contract. Later on Narasiah appears that, out of 56 survey numbers set apart in the eastern portion of the Sandalgere vana, only 4 were good waste and all the rest occupied lands; that as the trees in the former had all been exhausted by the previous contractor and those in the latter were leased out by their owners to some other farmers, he could find no trees there; that, as his complaint on the subject was unheeded, he was obliged to buy trees in Asian villages and those on other good occupied lands in the Kunigal taluk and thus incurs heavy expenditure for conveying loads therefrom; and that he therefore suffered a heavy loss of Rs 1,000/- on his contract. The khists were not being paid regularly during the period of the lease and at length when Mr Sujat Ali held an enquiry into the case on 14 June 1894, the balance recorded was Rs 398-9-7 which has now been recommended for remission The Izaradar Kitchia is a pauper.

The property of Subbiah, one of the sureties, ~~Subbia is a pauper~~. and also Narasiah's lands are under attach-ment for recovery of the above dues, and further proceedings have been stopped pending the settlement of the farmers claim for remission. In the file, there is a memo of the late deputy former Mr. Sujat alli, giving all particulars of the case, in which memo he has promised to re-commend the said balance of Rs 398-9-7 for remission. The Deputy Commissioner says "I can easily believe that the owners did not allow Narsiah the free use of the trees. It was however his duty to have ar-ranged his terms with the owners, and if the owners were not amenable to reasonable terms, the Govt: was bound to interfere on his behalf as those numbers were allotted to this farm and the Govt: could effectively interfere as no private man could manufacture toddy without a license." Again in the latter portion of the same memo he adds "In the present case however, if Narsiah's complaints had been en-

Note — According to Govt: Procs No: 14030-39 Cir 298 13th March 1891, all the trees on occupied lands — which Narsiah could not get — were the property of Govt, as the Survey Settlement had not been (Fasli 1303-91-93) introduced into the Chennapatna Taluk. Narsiah was therefore entitled to the free-use of the trees as they were allotted to his farm, or at all events, the occupants had no right to be un-reasonable in their demands from Narsiah or leave their trees of their own accord to some other farmers to whom the trees had not been allotted. With this fact before them the ~~Govt~~ local authorities might have most effectively interfered and brought about at least an amicable settlement between Narsiah and the owners of trees in occupied lands, for want of which trees ~~the said farmer~~ Narsiah has to suffer loss.

quired into promptly, and he had been helped, he would not have suffered any loss. x x x x

x x x x x

The farm has fetched rents as shown below :-

1892-93 — 283-12-5

93-94 — 253-" -"

94-95 — 200-" -"

Thus there has been a steady decrease

x x x x x

It is a fact that Narciah has sold his house and paid the price towards the dues. x x x

x x x x x

I think I should under the circumstances above mentioned be justified in recommending the balance for remission."

3. Information on the exact amount of the [redacted] lease as well as of the balance now due is not very clear. In one of his petitions, Narasiah states that he took up the contract for Rs 300 and odd per month, and in his deposition, that he took it up for Rs 297/- while in the Deputy Commr's memo, the figure put down is Rs 283-12-5. It is reported that the Muntchalika was taken by Mr Mc Donnell, and was not returned to the District Office. Coming to the balance yet due, when the Dy: Commr's memo puts it down at Rs 398-9-7, the figure given in the Notice issued to Narsiah of 28th Oct 93, and in the memo of the Excise Asst Commr of 6th June 94 — is Rs 354-12-7. The sum now recommended for remission is Rs 398-9-7 in accordance with the Deputy Commr's memo and the entry in the D.C.B Statement. The Deputy Amildar

of the Cheepet Sub-Taluk reports, in his No: 81 of 15th Jany 98, that no reply was received by him for his representation that the amounts paid by the contractor should be checked with reference to the Treasury vouchers. The records do not show that such course has been adopted after the above report was made.

A remission statement has not been verified by the Comptroller, as no accounts were kept in his office for 92-93.

Secretary
Sub-Forresters.

9/4/98 11/4/98

This seems to be a hard case. The man seems to have entered into the employ of the Local Body. The arrears due is not much. Let no accept the figures given by the Local Body and order as follows

"Under the circumstances represented, the remission recommended is sanctioned with the observation that by timely

engagement & keeping the Local authorities informed of the case for recovery of arrears & strict vigilance [illegible] recurrence

DFO Bhadrachalam
15/4/98

15/4/98

Copy

Proceedings of the Govt: of H. H. The Maharaja of Mysore

Read :-

The following communication from the Deputy Comm^r Mysore Dt: No: 685 of 26th August 1890

"Has the honour to submit for orders, a petition dated 23rd instt. from Basavalingaiya of Amachavadi in the Channapatna Taluk, requesting to cut the date trees in his land. His land is situated in an unsettled portion of Taluk. Requests to be kindly informed whether permission may be given to him under Rule 23, clause 1 of the Revenue Rules recently published or petitioner ordered to wait till Survey Settlement."

"2. as the rule above quoted does not place any restriction about Survey, his reference is made."

No: 1430-39 / Cis 298 of Bangalore 13th March 1891.

Order thereon :- The Deputy Comm^r will inform the petitioner in reply to his petition, that he should wait till the Survey Settlement is completed and the date trees on his land are given over to him at a valuation

2. Government note that the Dy: Comm^r's interpretation of Rule 23, clause 1 of the Rules under the Land Revenue Code is incorrect. Cases where the Govt: right to Shendi trees has been expressly reserved to Govt: at the time of the grant of the land, are there distinctly

exempted from the operation of the Rule. And such reservation has been the practice and distinctly directed in the orders contained in the late Chief Commrs Prop No: 4108-Rev: 34 dated 24th October 1873 the 1st paragraph of which runs as follows:-

"In all unsurveyed Talukhs the right of drawing toddy from date trees on Kandayam and waste lands belongs to Govt and is delegated by it to the contractor for the time being; but the local Revenue officers are empowered to authorize the removal by the occupants of such trees on cultivated land as interfere with cultivation, and also to allow waste land to be taken up for cultivation notwithstanding that there are date trees on such land, provided that they are not so numerous as to be worth specially reserving as a date grove".

3. Under the foregoing order, shendi trees on occupied lands to which the Survey Settlement under Act 1 of 1865 or the Land Revenue Regulation has not been extended, should be regarded as the property of Govt. till they are made over to the occupant of the land by the Survey Department

(Sd) A. Srinivasachariar

Under Secretary

To
The Dy: Comm Nyanad Dt:
" Dy: Comm Nyother Dts.
" Special Commissr
" Supt. Rev: Surveys.

Gen. 80.]

Cir. No. 6563
No. Sr 3/46

1898

SECTION S. R.

FILE N 66 of 97

SERIAL N 1

From

The Excise Commissioner
in Mysore.

To

The ~~Chief~~ Secretary to the
Government ~~Dewan~~ of Mysore.

Dated 8 ~~th~~ March 1898.

Despatched 10

Received

Enclosure No. 1 & 1 file

General No. 6644

No. 306

~~In reply to~~

SUBJECT.

Submits for sanction a remission statement for Rs 501-2-9 in behalf of Kitchiah and Narsiah Toda[redacted] Head Farmers of the Jalamangala circle of the Closepet Sub-Taluq for 1892-93.

please check the statement & put up draft
21/3/98

References (to be entered only in the Dewan's Office.)

6/4/98 Ellerd

Dew M

11.3.98 Rec'd 6/4/98. 5.30 PM

Excise Commissioner's Office
Bangalore 8th/10 March 1898.

No. 6644/306 Remission file

From The Excise Commissioner in Mysore.

To The Secretary to the
Government of Mysore
General and Revenue Departments.

Sir,

In submitting herewith a remission statement for Rs 501-2-9 (as per marginal details), in behalf of Kitchiah and Narsiah Toddy Vend Farmers of the Jalamangala circle of the Closepet Sub-Taluq for 1892-93, I have the honor to state that Kitchiah took up the lease of the farm consisting of 10 shops for an annual rental of Rs 3405-5-0, including local cess. The following vanams were attached to the farm:— Jalamangala, Makali and a portion of Sondalkere. Kitchiah states that with the belief that he could have the full use of the toddy trees in the above groves, he bid up very high, but that when he went to tap trees, he found that with the exception of about 50 trees in unoccupied lands, all the rest belonged to private people who leased the same to other farmers to their best advantage; that he therefore addressed

Principal	Rs 398-9-7
Interest & Cheran	Rs 102-9-2
Total	501-2-9

addressed several petitions to the Deputy Amildar and the Abkari Inspector, but in vain, so that he was compelled to purchase trees from Inamdars at a heavy cost and to close some of his shops for want of sufficient supply of toddy; and that consequently he sustained considerable loss.

2. Kitchiah having failed to pay up his khists regularly, they accumulated, and therefore his property as well as that of his surety Narsiah was attached. Thereupon Narsiah who really worked the farm, petitioned the then Deputy Commissioner, Mr. Mir Shujat Ali Khan who, after a careful enquiry, found that as no help was given to him by the then Amildar and Abkari Inspector, he could not secure sufficient trees. The Abkari Inspector who was mostly to blame in the matter, was degraded and transferred by the Deputy Commissioner.

3. In regard to the loss sustained by the farmer, the Deputy Commissioner has recorded his opinion to the following effect:—

"In the present case, however, if "Narasiah's complaints had been enquired "into promptly, and he had been helped, he

"he would not have probably suffered
"any loss. I am for this reason inclined
"to treat him with leniency. × × "The
"rent for the whole year was Rs 3405-5-0
"of which Rs 3006-11-5 has been paid, and
"Rs 398-9-7 is still due, and Narsiah's
"property is under attachment. It is
"a fact that Narsiah has sold his
"house and paid the price towards the
"dues. It is his lands which are now
"under attachment. I think I should
"under the circumstances be justified
"in recommending the balance for
"remission."

4. Under the above circumstances, I beg to recommend that the amount of Rs 398-9-7, the principal, with Interest up to date, may be ordered to be written off the accounts.

5. The file of vernacular papers containing the late Deputy Commissioner's memo dated 19th June 1894, is herewith sent for reference and Kind return.

I have the honor to be,
Sir,
Your most obedient servant

[illegible]
for Excise Commissioner
in Mysore.

Statement showing the amount of the Arrears of Rent recommended for Remissio

No.	Name of Farm	Name of Farmer (defaulter)	Amount of original bid including local cess if any		Date of resale	Amount recovered or adjusted up to date of resale			Arrears due on date of resale	Amount of fu khists still from date o resale up close of original le
			Per month	Per annum		By monthly khist	By distress of goods, &c.	Total		
1	2	3	4	5	6	7	8		10	11
	Jalamangla Chaufuta	Kuchia and Narasi	283	5 3405 5	-	3006 11 5	- - -	300 4 5	398 9 7	

The Taluk of Channapatna in the Bangalore District for the year 1892-93

Total amount due from farmer towards original bid	Deduct			Balance irrecoverable and recommended for remission			Name of farmer who purchased at resale	Remarks
	Adjustment from security deposits, &c.	Amount realized by resale	Total amount	On account of arrears	On account of loss by resale	Total		
12	13	14	15	16	17	18	19	20
398 9 7				398 9 7		398 9 7	— nil —	Jyeut balance ... Rs 398-9-7 Interest from July 3 to October 97 102-9-2 Total Rs 501-2-9

The Comptroller states that he cannot vouch for the correctness of the above figures as no Accounts have been kept in his office for the year 1892-93

for the Revenue Commissioner

Signed 4.2.94 Amilda

6

Draft proceedings

SECTION S.R.
FILE 66 of 97-98
SUB 2

Read:- ✓

Letter no 6644/306 dated 18th March 1898 from the Excise Commr in Mysore, submitting for sanction a remission statement for Rs 398-9-7 (~~collection~~) ~~in favor~~ on behalf of Kidchia and Narasiah Toddy vend farmers of the Jalamangala circle, Closepet Sub-Taluk for 1892-93 and stating ~~that~~ complain that they offered the vend farmers ~~to~~ bid up very high ~~for~~ in the belief that they could have the full use of the toddy trees in the groves of Jalamangala, Makali & Sondalkere - attached to their farm but that when they went to tap trees, they found that with the exception of a few trees unfit for tapping ~~were~~ all the rest in the Sondalkere grove belonged to private people who had leased them ~~from~~ to their

best advantage, & that when
their repeated complaints in
the matter to the local authorities
were unheeded, they were compelled
to purchase bills from Dramdars
at a heavy cost ~~which resulted~~ to their ryots

~~in not only~~ ~~loss~~ considerable
loss ~~but also in closing~~ and
~~of their shops for want of sufficient~~
~~supply of toddy~~

Order thereon:— No 9967-8 dt 19-4-98.
Rs 40

Put file

Under the circumstances
represented the remission of
Rs 398-9-7 with interest thereon, as
recommended by the Excise Commr
is sanctioned as a special case
with the observation that by
timely enquiry and help, the
local authorities could have
removed all cause for complaint
and rendered this

8

remission unnecessary

17.4.98

16/4/98

16/4/98 Secretary

To

The Excise Commr.

returning the records.

" Comptroller.